

PROB 12C
(7/93)

Report Date: May 23, 2012

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 23 2012

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Marvin L. Tate

Case Number: 2:07CR06032-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable James P. Hutton, U.S. Magistrate Judge

Date of Original Sentence: 3/13/2008

Original Offense: Possession of Controlled Substance with Intent to Distribute, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 60 Months;
SR - 48 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Joseph H. Harrington

Date Supervision Commenced: 10/4/2011

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 10/3/2015

 PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	Standard Condition # 2: The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.
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Supporting Evidence: Marvin Tate is considered in violation of his period of supervised release by associating with a convicted felon, Marcie Berg, on or prior to May 23, 2012.

On May 2, 2012, the defendant was placed on GPS monitoring as part of a STEP sanction to address multiple violations of the program. One of the violations was having contact with Marcie Berg, as she was a convicted felon. Over the next week it was noted the defendant was visiting the Super 8 Motel in Kennewick on a regular basis. On May 23, 2012, contact was made with the defendant at the motel to verify who he was with. Upon knocking Ms. Berg opened the door and the defendant came out of a side room. The defendant admitted he was having contact with Ms. Berg and noted she is pregnant with his child.

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Re: Tate, Marvin L.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

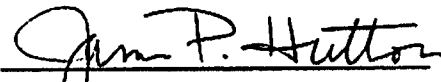
Executed on: 05/23/2012

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

5/23/2012
Date